



U.S. Department of Justice

*United States Attorney
Southern District of New York*

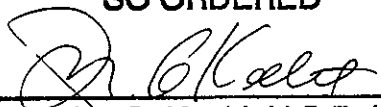
*86 Chambers Street, 3rd floor
New York, New York 10007*

September 23, 2014

BY ECF

The Honorable John G. Koeltl
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

**APPLICATION GRANTED
SO ORDERED**



John G. Koeltl, U.S.D.J.
9/23/14

Re: *Julio Montano v. C. Enwereuzor*, No. 14 Civ. 1345 (JGK)

Dear Judge Koeltl:

I write respectfully regarding the above-referenced *Bivens* action. On August 21, 2014, this Office requested, and the Court granted, an adjournment until September 26, 2014, for the defendant to answer or otherwise respond to the Complaint. This Office sought the adjournment because defendant had requested representation by this Office, but his request had not yet been decided.¹ Regrettably, no decision has been reached yet as to representation.

Because we do not currently represent the defendant in this matter, and also because this Office has not yet been served, we respectfully request that the Court adjourn the September 26, 2014 deadline until November 14, 2014, by when we hope to know whether this Office will represent the defendant. We reserve all rights and defenses.

This is the second request by this Office for an extension of time in this matter. We have not consulted the plaintiff, who is appearing *pro se*, regarding whether he consents to this request.

¹ Our request was also based on the fact this Office had not been served in accordance with Fed. R. Civ. P. 4(i)(3). This Office has still not been served, which arguably means that defendant's time to answer is not yet running.

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September 23, 2014
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Thank you for your consideration of this request.

Respectfully submitted,

PREET BHARARA
United States Attorney

By: /s/ Jacob M. Bergman
JACOB M. BERGMAN
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, NY 10007
Tel.: (212) 637-2776
Fax: (212) 637-2686
jacob.bergman@usdoj.gov

cc (*via U.S. mail*):

Mr. Julio Montano
901 Woodycrest Avenue
Apt B1
Bronx, NY 10451